

# Senate Amendment 3429

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1 1 Amend Senate File 601 as follows:  
1 2 #1. Page 27, by inserting after line 2 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. 2007 Iowa Acts, House File 752, section  
1 5 1, subsection 3, if enacted, is amended to read as  
1 6 follows:  
1 7 3. For payments to the department of  
1 8 administrative services for utility services:  
1 9 ..... \$ ~~145,000~~  
1 10 188,207  
1 11 Sec. \_\_\_\_\_. 2007 Iowa Acts, House File 752, section  
1 12 2, subsection 2, if enacted, is amended to read as  
1 13 follows:  
1 14 2. For payments to the department of  
1 15 administrative services for utility services:  
1 16 ..... \$ ~~888,000~~  
1 17 1,153,417>  
1 18 #2. Page 28, by inserting after line 4 the  
1 19 following:  
1 20 <Sec. \_\_\_\_\_. Section 15F.203, subsection 3,  
1 21 paragraph e, Code 2007, is amended to read as follows:  
1 22 e. The project is primarily a vertical  
1 23 infrastructure project with demonstrated substantial  
1 24 regional or statewide economic impact. For purposes  
1 25 of the program, "vertical infrastructure" means land  
1 26 acquisition and construction, major renovation and  
1 27 major repair of buildings, all appurtenant structures,  
1 28 utilities, site development, and recreational trails  
1 29 and water trails. "Vertical infrastructure" does not  
1 30 include routine, recurring maintenance or operational  
1 31 expenses or leasing of a building, appurtenant  
1 32 structure, or utility without a lease-purchase  
1 33 agreement.  
1 34 Sec. \_\_\_\_\_. Section 15F.204, subsection 8, Code  
1 35 2007, is amended to read as follows:  
1 36 8. a. There is appropriated from the rebuild Iowa  
1 37 infrastructure fund to the community attraction and  
1 38 tourism fund, the following amounts:  
1 39 (1) For the fiscal year beginning July 1, 2004,  
1 40 and ending June 30, 2005, the sum of twelve million  
1 41 dollars.  
1 42 (2) For the fiscal year beginning July 1, 2005,  
1 43 and ending June 30, 2006, the sum of five million  
1 44 dollars.  
1 45 (3) For the fiscal year beginning July 1, 2006,  
1 46 and ending June 30, 2007, the sum of five million  
1 47 dollars.  
1 48 (4) For the fiscal year beginning July 1, 2007,  
1 49 and ending June 30, 2008, the sum of five million  
1 50 dollars.  
2 1 (5) For the fiscal year beginning July 1, 2008,  
2 2 and ending June 30, 2009, the sum of five million  
2 3 dollars.  
2 4 (6) For the fiscal year beginning July 1, 2009,  
2 5 and ending June 30, 2010, the sum of five million  
2 6 dollars.  
2 7 (7) For the fiscal year beginning July 1, 2010,  
2 8 and ending June 30, 2011, the sum of five million  
2 9 dollars.  
2 10 (8) For the fiscal year beginning July 1, 2011,  
2 11 and ending June 30, 2012, the sum of five million  
2 12 dollars.  
2 13 (9) For the fiscal year beginning July 1, 2012,  
2 14 and ending June 30, 2013, the sum of five million  
2 15 dollars.  
2 16 b. There is appropriated from the franchise tax  
2 17 revenues deposited in the general fund of the state to  
2 18 the community attraction and tourism fund, the  
2 19 following amounts:  
2 20 (1) For the fiscal year beginning July 1, 2005,  
2 21 and ending June 30, 2006, the sum of seven million  
2 22 dollars.  
2 23 (2) For the fiscal year beginning July 1, 2006,  
2 24 and ending June 30, 2007, the sum of seven million

2 25 dollars.  
2 26 (3) For the fiscal year beginning July 1, 2007,  
2 27 and ending June 30, 2008, the sum of seven million  
2 28 dollars.  
2 29 (4) For the fiscal year beginning July 1, 2008,  
2 30 and ending June 30, 2009, the sum of seven million  
2 31 dollars.  
2 32 (5) For the fiscal year beginning July 1, 2009,  
2 33 and ending June 30, 2010, the sum of seven million  
2 34 dollars.  
2 35 (6) For the fiscal year beginning July 1, 2010,  
2 36 and ending June 30, 2011, the sum of seven million  
2 37 dollars.  
2 38 (7) For the fiscal year beginning July 1, 2011,  
2 39 and ending June 30, 2012, the sum of seven million  
2 40 dollars.  
2 41 (8) For the fiscal year beginning July 1, 2012,  
2 42 and ending June 30, 2013, the sum of seven million  
2 43 dollars.

2 44 Notwithstanding the allocation requirements in  
2 45 subsection 5, the board may make a multiyear  
2 46 commitment to an applicant of up to ~~four~~ six million  
2 47 dollars in any one fiscal year.>

2 48 #3. Page 35, by inserting after line 25 the  
2 49 following:

2 50 <Sec. \_\_\_\_\_. NEW SECTION. 90A.13 UNARMED COMBAT  
3 1 FIGHTING EXCLUDED FROM CHAPTER.

3 2 This chapter does not apply to unarmed combat  
3 3 fighting. For purposes of this section, "unarmed  
3 4 combat fighting" means mixed martial arts fighting,  
3 5 extreme fighting, ultimate fighting, and shoot  
3 6 fighting.>

3 7 #4. Page 38, by inserting after line 35 the  
3 8 following:

3 9 <Sec. \_\_\_\_\_. Section 216A.136, subsection 5, Code  
3 10 2007, is amended by striking the subsection.>

3 11 #5. Page 44, by inserting after line 6 the  
3 12 following:

3 13 <Sec. \_\_\_\_\_. Section 904.602, subsection 2,  
3 14 paragraph m, Code 2007, is amended by striking the  
3 15 paragraph.

3 16 Sec. \_\_\_\_\_. Section 909.3A, Code 2007, is amended to  
3 17 read as follows:

3 18 909.3A COMMUNITY SERVICE OPTION.

3 19 The court may, in its discretion, order the  
3 20 defendant to perform community service work of an  
3 21 equivalent value to the fine imposed where it appears  
3 22 that the community service work will be adequate to  
3 23 deter the defendant and to discourage others from  
3 24 similar criminal activity. The rate at which  
3 25 community service shall be calculated shall be the  
3 26 federal or state minimum wage, whichever is higher.>

3 27 #6. Page 44, by inserting after line 8 the  
3 28 following:

3 29 <Sec. \_\_\_\_\_. Sections 811.2A and 901.4, Code 2007,  
3 30 are repealed.>

3 31 #7. Page 70, by inserting after line 31 the  
3 32 following:

3 33 <DIVISION \_\_\_\_  
3 34 FOOD INSPECTIONS

3 35 Sec. \_\_\_\_\_. Section 137C.6, Code 2007, is amended to  
3 36 read as follows:

3 37 137C.6 AUTHORITY TO ENFORCE.

3 38 1. The director shall regulate, license, and  
3 39 inspect hotels and enforce the Iowa hotel sanitation  
3 40 code in Iowa. Municipal corporations shall not  
3 41 regulate, license, inspect, or collect license fees  
3 42 from hotels except as provided for in the Iowa hotel  
3 43 sanitation code.

3 44 2. If a municipal corporation wants its local  
3 45 board of health to license, inspect, and otherwise  
3 46 enforce the Iowa hotel sanitation code within its  
3 47 jurisdiction, the municipal corporation may enter into  
3 48 an agreement to do so with the director. The director  
3 49 may enter into the agreement if the director finds  
3 50 that the local board of health has adequate resources  
4 1 to perform the required functions. A municipal  
4 2 corporation may only enter into an agreement to  
4 3 enforce the Iowa hotel sanitation code if it also  
4 4 agrees to enforce the ~~Iowa food code rules setting~~  
4 5 minimum standards to protect consumers from foodborne

4 6 ~~illness adopted pursuant to section 137F.3~~ 137F.2.

4 7 3. A local board of health that is responsible for  
4 8 enforcing the Iowa hotel sanitation code within its  
4 9 jurisdiction pursuant to an agreement, shall make an  
4 10 annual report to the director providing the following  
4 11 information:

4 12 ~~1-~~ a. The total number of hotel licenses granted  
4 13 or renewed during the year.

4 14 ~~2-~~ b. The number of hotel licenses granted or  
4 15 renewed during the year broken down into the following  
4 16 categories:

4 17 ~~a-~~ (1) Hotels containing fifteen guest rooms or  
4 18 less.

4 19 ~~b-~~ (2) Hotels containing more than fifteen but  
4 20 less than thirty-one guest rooms.

4 21 ~~c-~~ (3) Hotels containing more than thirty but  
4 22 less than seventy-six guest rooms.

4 23 ~~d-~~ (4) Hotels containing more than seventy-five  
4 24 but less than one hundred fifty guest rooms.

4 25 ~~e-~~ (5) Hotels containing one hundred fifty or  
4 26 more guest rooms.

4 27 ~~3-~~ c. The amount of money collected in license  
4 28 fees during the year.

4 29 ~~4-~~ d. Other information the director requests.

4 30 4. The director shall monitor local boards of  
4 31 health to determine if they are enforcing the Iowa  
4 32 hotel sanitation code within their respective  
4 33 jurisdictions. If the director determines that the  
4 34 Iowa hotel sanitation code is enforced by a local  
4 35 board of health, such enforcement shall be accepted in  
4 36 lieu of enforcement by the department in that  
4 37 jurisdiction. If the director determines that the  
4 38 Iowa hotel sanitation code is not enforced by a local  
4 39 board of health, the director may rescind the  
4 40 agreement after reasonable notice and an opportunity  
4 41 for a hearing. If the agreement is rescinded, the  
4 42 director shall assume responsibility for enforcement  
4 43 in the jurisdiction involved.

4 44 Sec.     . Section 137C.9, Code 2007, is amended to  
4 45 read as follows:

4 46 137C.9 LICENSE FEES.

4 47 1. Either the department or the municipal  
4 48 corporation shall collect the following annual license  
4 49 fees:

4 50 ~~1-~~ a. For a hotel containing fifteen guest rooms  
5 1 or less, ~~twenty~~ twenty-seven dollars.

5 2 ~~2-~~ b. For a hotel containing more than fifteen  
5 3 but less than thirty-one guest rooms, ~~thirty~~ forty  
5 4 dollars and fifty cents.

5 5 ~~3-~~ c. For a hotel containing more than thirty but  
5 6 less than seventy-six guest rooms, ~~forty~~ fifty-four  
5 7 dollars.

5 8 ~~4-~~ d. For a hotel containing more than  
5 9 seventy-five but less than one hundred fifty guest  
5 10 rooms, ~~fifty~~ fifty-seven dollars and fifty cents.

5 11 ~~5-~~ e. For a hotel containing one hundred fifty or  
5 12 more guest rooms, ~~seventy-five~~ one hundred one dollars  
5 13 and twenty-five cents.

5 14 2. Fees collected by the department shall be  
5 15 deposited in the general fund of the state. Fees  
5 16 collected by a municipal corporation shall be retained  
5 17 by it and for its use.

5 18 Sec.     . Section 137D.2, subsection 1, Code 2007,  
5 19 is amended to read as follows:

5 20 1. A person shall not open or operate a home food  
5 21 establishment until a license has been obtained from  
5 22 the department of inspections and appeals. The  
5 23 department shall collect a fee of ~~twenty-five~~  
5 24 thirty-three dollars and seventy-five cents for a  
5 25 license. After collection, the fees shall be  
5 26 deposited in the general fund of the state. A license  
5 27 shall expire one year from date of issue. A license  
5 28 is renewable.

5 29 Sec.     . Section 137F.1, subsection 7, Code 2007,  
5 30 is amended by striking the subsection.

5 31 Sec.     . Section 137F.1, subsection 8, unnumbered  
5 32 paragraph 1, Code 2007, is amended to read as follows:

5 33 "Food establishment" means an operation that  
5 34 stores, prepares, packages, serves, vends, or  
5 35 otherwise provides food for human consumption and  
5 36 includes a food service operation in a salvage or

5 37 distressed food operation, school, summer camp,  
5 38 residential service substance abuse treatment  
5 39 facility, halfway house substance abuse treatment  
5 40 facility, correctional facility operated by the  
5 41 department of corrections, the state training school,  
5 42 or the Iowa juvenile home. "Food establishment" does  
5 43 not include the following:

5 44 Sec. \_\_\_\_\_. Section 137F.2, Code 2007, is amended by  
5 45 striking the section and inserting in lieu thereof the  
5 46 following:

5 47 137F.2 ADOPTION BY RULE.

5 48 The department shall, in accordance with chapter  
5 49 17A, adopt rules setting minimum standards for  
5 50 entities covered under this chapter to protect  
6 1 consumers from foodborne illness. In so doing, the  
6 2 department may adopt by reference, with or without  
6 3 amendment, the United States food and drug  
6 4 administration food code, which shall be specified by  
6 5 title and edition, date of publication, or similar  
6 6 information. The rules and standards shall be  
6 7 formulated in consultation with municipal corporations  
6 8 under agreement with the department, affected state  
6 9 agencies, and industry, professional, and consumer  
6 10 groups.

6 11 Sec. \_\_\_\_\_. Section 137F.3, Code 2007, is amended to  
6 12 read as follows:

6 13 137F.3 AUTHORITY TO ENFORCE.

6 14 1. The director shall regulate, license, and  
6 15 inspect food establishments and food processing plants  
6 16 and enforce this chapter pursuant to rules adopted by  
6 17 the department in accordance with chapter 17A.  
6 18 Municipal corporations shall not regulate, license,  
6 19 inspect, or collect license fees from food  
6 20 establishments and food processing plants, except as  
6 21 provided in this section.

6 22 2. A municipal corporation may enter into an  
6 23 agreement with the director to provide that the  
6 24 municipal corporation shall license, inspect, and  
6 25 otherwise enforce this chapter within its  
6 26 jurisdiction. The director may enter into the  
6 27 agreement if the director finds that the municipal  
6 28 corporation has adequate resources to perform the  
6 29 required functions. A municipal corporation may only  
6 30 enter into an agreement to enforce the ~~Iowa food code~~  
6 31 rules setting minimum standards to protect consumers  
6 32 from foodborne illness adopted pursuant to this

6 33 section 137F.2 if it also agrees to enforce the Iowa  
6 34 hotel sanitation code pursuant to section 137C.6.  
6 35 However, the department shall license and inspect all  
6 36 food processing plants which manufacture, package, or  
6 37 label food products. A municipal corporation may  
6 38 license and inspect, as authorized by this section,  
6 39 food processing plants whose operations are limited to  
6 40 the storage of food products.

6 41 3. If the director enters into an agreement with a  
6 42 municipal corporation as provided by this section, the  
6 43 director shall provide that the inspection practices  
6 44 of a municipal corporation are spot-checked on a  
6 45 regular basis.

6 46 4. A municipal corporation that is responsible for  
6 47 enforcing this chapter within its jurisdiction  
6 48 pursuant to an agreement shall make an annual report  
6 49 to the director providing the following information:

- 6 50 ~~1-~~ a. The total number of licenses granted or  
7 1 renewed by the municipal corporation under this  
7 2 chapter during the year.  
7 3 ~~2-~~ b. The number of licenses granted or renewed  
7 4 by the municipal corporation under this chapter during  
7 5 the year in each of the following categories:  
7 6 ~~a-~~ (1) Food establishments.  
7 7 ~~b-~~ (2) Food processing plants.  
7 8 ~~c-~~ (3) Mobile food units and pushcarts.  
7 9 ~~d-~~ (4) Temporary food establishments.  
7 10 ~~e-~~ (5) Vending machines.  
7 11 ~~3-~~ c. The amount of money collected in license  
7 12 fees during the year.  
7 13 ~~d-~~ The amount expended to perform the functions  
7 14 required under the agreement, submitted on a form  
7 15 prescribed by the department.  
7 16 ~~4-~~ e. Other information the director requests.  
7 17 5. The director shall monitor municipal

7 18 corporations which have entered into an agreement  
7 19 pursuant to this section to determine if they are  
7 20 enforcing this chapter within their respective  
7 21 jurisdictions. If the director determines that this  
7 22 chapter is not enforced by a municipal corporation,  
7 23 the director may rescind the agreement after  
7 24 reasonable notice and an opportunity for a hearing.  
7 25 If the agreement is rescinded, the director shall  
7 26 assume responsibility for enforcement in the  
7 27 jurisdiction involved.

7 28 6. The inspection staff of a municipal corporation  
7 29 that has entered into an agreement with the director  
7 30 to enforce this chapter shall be required by the  
7 31 department to apply the current rules setting minimum  
7 32 standards to protect consumers from foodborne illness  
7 33 adopted pursuant to section 137F.2 to ensure  
7 34 consistency in application of the rules. A municipal  
7 35 corporation's failure to comply may result in the  
7 36 department rescinding the agreement with the municipal  
7 37 corporation, after reasonable notice and an  
7 38 opportunity for a hearing.

7 39 Sec. \_\_\_\_ Section 137F.3A, Code 2007, is amended  
7 40 to read as follows:

7 41 137F.3A MUNICIPAL CORPORATION INSPECTIONS ==  
7 42 CONTINGENT APPROPRIATION.

7 43 1. If a municipal corporation operating pursuant  
7 44 to a chapter 28E agreement with the department of  
7 45 inspections and appeals to enforce this chapter and  
7 46 chapters 137C and 137D either fails to renew the  
7 47 agreement effective after ~~July 1, 2005, but before~~  
7 48 ~~July 1, 2007, April 1, 2007, or discontinues prior to~~  
7 49 ~~July 1, 2007, after April 1, 2007, enforcement~~  
7 50 activities in one or more jurisdictions during the  
8 1 agreement time frame, or the department of inspections  
8 2 and appeals cancels an agreement ~~prior to July 1,~~  
8 3 ~~2007, after April 1, 2007,~~ due to noncompliance with  
8 4 the terms of the agreement, the department of  
8 5 inspections and appeals may employ additional  
8 6 full-time equivalent positions ~~for the fiscal years~~  
8 7 ~~ending prior to July 1, 2007,~~ to enforce the  
8 8 provisions of the chapters, with the approval of the  
8 9 department of management. Before approval is given,  
8 10 the director of the department of management shall  
8 11 determine that the expenses exceed the funds budgeted  
8 12 by the general assembly for food inspections to the  
8 13 department of inspections and appeals. The department  
8 14 of inspections and appeals may hire no more than one  
8 15 full-time equivalent position for each six hundred  
8 16 inspections required pursuant to this chapter and  
8 17 chapters 137C and 137D.

8 18 2. Notwithstanding chapter 137D, and sections  
8 19 137C.9 and 137F.6, if the conditions described in this  
8 20 section are met, fees imposed pursuant to that chapter  
8 21 and those sections shall be retained by and are  
8 22 appropriated to the department of inspections and  
8 23 appeals ~~for the each fiscal years ending prior to July~~  
8 24 ~~1, 2007, year~~ to provide for salaries, support,  
8 25 maintenance, and miscellaneous purposes associated  
8 26 with the additional inspections. The appropriation  
8 27 made in this subsection is not applicable in a fiscal  
8 28 year for which the general assembly enacts an  
8 29 appropriation made for the purposes described in this  
8 30 subsection.

8 31 ~~3. This section is repealed July 1, 2007.~~

8 32 Sec. \_\_\_\_ Section 137F.6, Code 2007, is amended to  
8 33 read as follows:

8 34 137F.6 LICENSE FEES.

8 35 1. The regulatory authority shall collect the  
8 36 following annual license fees:

8 37 ~~1- a.~~ For a mobile food unit or pushcart, ~~twenty~~  
8 38 ~~twenty-seven~~ dollars.

8 39 ~~2- b.~~ For a temporary food establishment per  
8 40 fixed location, ~~twenty-five~~ thirty-three dollars and  
8 41 fifty cents.

8 42 ~~3- c.~~ For a vending machine, twenty dollars for  
8 43 the first machine and five dollars for each additional  
8 44 machine.

8 45 ~~4- d.~~ For a food establishment which prepares or  
8 46 serves food for individual portion service intended  
8 47 for consumption on-the-premises, the annual license  
8 48 fee shall correspond to the annual gross food and

8 49 beverage sales of the food establishment, as follows:  
8 50 a- (1) Annual gross sales of under fifty thousand  
9 1 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.  
9 2 b- (2) Annual gross sales of at least fifty  
9 3 thousand dollars but less than one hundred thousand  
9 4 dollars, ~~eighty-five~~ one hundred fourteen dollars and  
9 5 fifty cents.  
9 6 c- (3) Annual gross sales of at least one hundred  
9 7 thousand dollars but less than two hundred fifty  
9 8 thousand dollars, ~~one hundred seventy-five~~ two hundred  
9 9 thirty-six dollars and twenty-five cents.  
9 10 d- (4) Annual gross sales of two hundred fifty  
9 11 thousand dollars but less than five hundred thousand  
9 12 dollars, two hundred ~~seventy-five~~ dollars.  
9 13 e- (5) Annual gross sales of five hundred  
9 14 thousand dollars or more, ~~two hundred twenty-five~~  
9 15 ~~three hundred three~~ dollars and seventy-five cents.  
9 16 5- e. For a food establishment which sells food  
9 17 or food products to consumer customers intended for  
9 18 preparation or consumption off-the-premises, the  
9 19 annual license fee shall correspond to the annual  
9 20 gross food and beverage sales of the food  
9 21 establishment, as follows:  
9 22 a- (1) Annual gross sales of under ten thousand  
9 23 dollars, ~~thirty forty~~ dollars and fifty cents.  
9 24 b- (2) Annual gross sales of at least ten  
9 25 thousand dollars but less than two hundred fifty  
9 26 thousand dollars, ~~seventy-five~~ one hundred one dollars  
9 27 and twenty-five cents.  
9 28 c- (3) Annual gross sales of at least two hundred  
9 29 fifty thousand dollars but less than five hundred  
9 30 thousand dollars, ~~one hundred fifteen~~ one hundred  
9 31 ~~fifty-five~~ dollars and twenty-five cents.  
9 32 d- (4) Annual gross sales of at least five  
9 33 hundred thousand dollars but less than seven hundred  
9 34 fifty thousand dollars, ~~one hundred fifty~~ two hundred  
9 35 two dollars and fifty cents.  
9 36 e- (5) Annual gross sales of seven hundred fifty  
9 37 thousand dollars or more, ~~two hundred twenty-five~~  
9 38 ~~three hundred three~~ dollars and seventy-five cents.  
9 39 6- f. For a food processing plant, the annual  
9 40 license fee shall correspond to the annual gross food  
9 41 and beverage sales of the food processing plant, as  
9 42 follows:  
9 43 a- (1) Annual gross sales of under fifty thousand  
9 44 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.  
9 45 b- (2) Annual gross sales of at least fifty  
9 46 thousand dollars but less than two hundred fifty  
9 47 thousand dollars, one hundred ~~thirty-five~~ dollars.  
9 48 c- (3) Annual gross sales of at least two hundred  
9 49 fifty thousand dollars but less than five hundred  
9 50 thousand dollars, ~~one hundred fifty~~ two hundred two  
10 1 dollars and fifty cents.  
10 2 d- (4) Annual gross sales of five hundred  
10 3 thousand dollars or more, ~~two hundred fifty~~ three  
10 4 hundred thirty-seven dollars and fifty cents.  
10 5 7- g. For a farmers market where potentially  
10 6 hazardous food is sold or distributed, one seasonal  
10 7 license fee of one hundred dollars for each vendor on  
10 8 a countywide basis.  
10 9 ~~A food establishment covered by subsections 4 and 5~~  
10 10 ~~shall be assessed license fees not to exceed~~  
10 11 ~~seventy-five percent of the total fees applicable~~  
10 12 ~~under both subsections.~~  
10 13 2. If an establishment licensed under subsection  
10 14 1, paragraph "d" or "e", has had a person in charge  
10 15 for the entire previous twelve-month period who holds  
10 16 an active certified food protection manager  
10 17 certificate from a program approved by the conference  
10 18 on food protection and the establishment has not been  
10 19 issued a critical violation during the previous  
10 20 twelve-month period, the establishment's license fee  
10 21 for the current renewal period shall be reduced by  
10 22 fifty dollars.  
10 23 3. Fees collected by the department shall be  
10 24 deposited in the general fund of the state. Fees  
10 25 collected by a municipal corporation shall be retained  
10 26 by the municipal corporation for regulation of food  
10 27 establishments and food processing plants licensed  
10 28 under this chapter.  
10 29 4. Each vending machine licensed under this

10 30 chapter shall bear a readily visible identification  
10 31 tag or decal provided by the licensee, containing the  
10 32 licensee's business address and phone number, and a  
10 33 company license number assigned by the regulatory  
10 34 authority.

10 35 Sec. \_\_\_\_\_. Section 137F.10, Code 2007, is amended  
10 36 to read as follows:

10 37 137F.10 REGULAR INSPECTIONS.

10 38 The appropriate regulatory authority shall provide  
10 39 for the inspection of each food establishment and food  
10 40 processing plant in this state in accordance with this  
10 41 chapter and with rules adopted pursuant to this  
10 42 chapter in accordance with chapter 17A. A regulatory  
10 43 authority may enter a food establishment or food  
10 44 processing plant at any reasonable hour to conduct an  
10 45 inspection. The manager or person in charge of the  
10 46 food establishment or food processing plant shall  
10 47 afford free access to every part of the premises and  
10 48 render all aid and assistance necessary to enable the  
10 49 regulatory authority to make a thorough and complete  
10 50 inspection. As part of the inspection process, the

11 1 regulatory authority shall provide an explanation of  
11 2 the violation or violations cited and provide guidance  
11 3 as to actions for correction and elimination of the  
11 4 violation or violations.

11 5 Sec. \_\_\_\_\_. NEW SECTION. 137F.11A POSTING OF  
11 6 INSPECTION REPORTS.

11 7 An establishment inspected under this chapter shall  
11 8 post the most recent routine inspection report, along  
11 9 with any current complaint or reinspection reports, in  
11 10 a location at the establishment that is readily  
11 11 visible to the public.

11 12 Sec. \_\_\_\_\_. Section 196.3, Code 2007, is amended to  
11 13 read as follows:

11 14 196.3 EGG HANDLER'S LICENSE AND FEE.

11 15 1. Every egg handler shall obtain an annual  
11 16 license from the department. The fee for the license  
11 17 shall be determined on the basis of the total number  
11 18 of eggs purchased or handled during the preceding  
11 19 month of April in each calendar year as follows:  
11 20 ~~1-~~ a. Less than one hundred twenty-five  
11 21 cases ..... \$ ~~15.00~~  
11 22 20.20

11 23 ~~2-~~ b. One hundred twenty-five cases or  
11 24 more but less than two hundred fifty  
11 25 cases ..... \$ ~~35.00~~  
11 26 47.25

11 27 ~~3-~~ c. Two hundred fifty cases or more but  
11 28 less than one thousand cases ..... \$ ~~50.00~~  
11 29 67.50

11 30 ~~4-~~ d. One thousand cases or more but less  
11 31 than five thousand cases ..... \$ ~~100.00~~  
11 32 135.00

11 33 ~~5-~~ e. Five thousand cases or more but less  
11 34 than ten thousand cases ..... \$ ~~175.00~~  
11 35 236.25

11 36 ~~6-~~ f. Ten thousand cases or more ..... \$ ~~250.00~~  
11 37 337.50

11 38 2. The license shall expire one year after its  
11 39 date of issue. For the purpose of determining fees, a  
11 40 case shall be thirty dozen eggs. All fees collected  
11 41 shall be remitted to the treasurer of state for  
11 42 deposit in the general fund of the state.

11 43 3. If an egg handler is not operating during the  
11 44 month of April, the department shall estimate the  
11 45 volume of eggs purchased or handled, or both, and may  
11 46 revise the fee based on three months of operation.

11 47 Sec. \_\_\_\_\_. Section 331.756, subsection 32, Code  
11 48 2007, is amended to read as follows:

11 49 32. Assist the department of inspections and  
11 50 appeals in the enforcement of the ~~Iowa food code rules~~  
12 1 setting minimum standards to protect consumers from  
12 2 foodborne illness adopted pursuant to section 137F.2  
12 3 and the Iowa hotel sanitation code, as provided in  
12 4 sections 137F.19 and 137C.30.

12 5 Sec. \_\_\_\_\_. FOOD CODE APPLICABILITY == TEMPORARY  
12 6 PROVISIONS. Pending the adoption of rules pursuant to  
12 7 section 137F.2, as amended by this division of this  
12 8 Act, the 1997 edition of the United States food and  
12 9 drug administration food code, with the amendments or  
12 10 exceptions thereto in effect prior to the effective

12 11 date of this division of this Act, shall continue in  
12 12 effect.  
12 13 Sec. \_\_\_\_\_. EFFECTIVE DATE. The section of this  
12 14 division of this Act amending section 137F.3A, being  
12 15 deemed of immediate importance, takes effect upon  
12 16 enactment.>  
12 17  
12 18  
12 19 \_\_\_\_\_  
12 20 ROBERT E. DVORSKY  
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12 24 MICHAEL E. GRONSTAL  
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12 28 WILLIAM DOTZLER  
12 29 SF 601.308 82  
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